

AMENDED IN SENATE AUGUST 18, 2015

AMENDED IN SENATE JULY 7, 2015

AMENDED IN SENATE JUNE 9, 2015

AMENDED IN ASSEMBLY APRIL 16, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 793

Introduced by Assembly Member Quirk

February 25, 2015

An act to amend Section 2790 of, and to add Section 8365 to, the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 793, as amended, Quirk. Energy efficiency.

(1) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and gas corporations, as defined. Existing law requires the commission to require an electrical or gas corporation to perform home weatherization services for low-income customers if the commission determines that a significant need for those services exists in the corporation's service territory. For these purposes, existing law authorizes weatherization, where feasible, to include certain measures for a dwelling unit. Existing law also authorizes weatherization, for these purposes, to include other measures determined by the commission to be feasible, taking into consideration the cost-effectiveness of the measures as a whole and the policy of reducing energy-related hardships facing low-income households.

This bill would require weatherization, for the above-specified purposes, to include energy management technology determined by the commission to be feasible, taking into consideration the above-described factors.

(2) Existing law requires the commission, by July 1, 2010, and in consultation with the State Energy Resources Conservation and Development Commission, the Independent System Operator, and other key stakeholders, to determine the requirements for a smart grid deployment plan consistent with specified policies and federal law. Existing law requires each electrical corporation, by July 1, 2011, to develop and submit a smart grid deployment plan to the commission for approval.

This bill would require the commission to require an ~~energy efficiency program administrator~~ *electrical or gas corporation* to develop and implement a plan to educate residential and small and medium business customers to better understand and control their use of electricity or gas, as provided. The bill would require the commission to require an ~~energy efficiency program administrator~~ to develop an incentive a program to provide incentives to a residential or small or medium business customer ~~who acquires~~ *to acquire* energy management technology for use in the customer's home or place of business. *The bill would require the commission to require an electrical or gas corporation to develop a plan to educate residential customers and small and medium business customers about the incentive program.* The bill would require the commission to require the ~~energy efficiency program administrator~~ *electrical or gas corporation* to annually report to the commission on actual customer savings resulting from ~~the education plan and the incentive program.~~

The bill would require the commission to evaluate all ~~energy efficiency program administrator~~ *electrical or gas corporation* energy savings claims achieved pursuant to the ~~education plan and~~ incentive program described above in a manner consistent with commission-adopted evaluation protocols.

(3) Because a violation of any part of any order, decision, rule, direction, demand, or requirement of the Public Utilities Commission is a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2790 of the Public Utilities Code is
2 amended to read:

3 2790. (a) The commission shall require an electrical or gas
4 corporation to perform home weatherization services for
5 low-income customers, as determined by the commission under
6 Section 739, if the commission determines that a significant need
7 for those services exists in the corporation's service territory, taking
8 into consideration both the cost-effectiveness of the services and
9 the policy of reducing the hardships facing low-income households.

10 (b) (1) For purposes of this section, "weatherization" may
11 include, where feasible, any of the following measures for any
12 dwelling unit:

13 (A) Attic insulation.

14 (B) Caulking.

15 (C) Weatherstripping.

16 (D) Low flow showerhead.

17 (E) Waterheater blanket.

18 (F) Door and building envelope repairs that reduce air
19 infiltration.

20 (2) The commission shall direct any electrical or gas corporation
21 to provide as many of these measures as are feasible for each
22 eligible low-income dwelling unit.

23 (c) "Weatherization" may also include other building
24 conservation measures, energy management technology,
25 energy-efficient appliances, and energy education programs
26 determined by the commission to be feasible, taking into
27 consideration for all measures both the cost-effectiveness of the
28 measures as a whole and the policy of reducing energy-related
29 hardships facing low-income households.

30 (d) Weatherization programs shall use the needs assessment
31 pursuant to Section 382.1 to maximize efficiency of delivery.

32 (e) For purposes of this section, "energy management
33 technology" may include a product, service, or software that allows

1 a customer to better understand and manage energy use in the
2 customer's home.

3 SEC. 2. Section 8365 is added to the Public Utilities Code, to
4 read:

5 8365. (a) The commission shall require an energy efficiency
6 ~~program administrator~~ *electrical or gas corporation* to do the
7 following:

8 ~~(1) Develop and implement a plan by June 30, 2016, to educate~~
9 ~~residential customers and small and medium business customers~~
10 ~~to better understand and control their use of electricity or gas. The~~
11 ~~plan shall include, where applicable, notification of the incentive~~
12 ~~program developed pursuant to paragraph (2). The plan shall~~
13 ~~identify the role of energy efficiency program administrators,~~
14 ~~demonstrate how efforts will be coordinated, demonstrate how~~
15 ~~duplicative costs and redundancies will be avoided, and consider~~
16 ~~existing educational and outreach efforts. The commission may~~
17 ~~require that the plan be integrated into any education campaign~~
18 ~~required by the commission.~~

19 (2)

20 ~~(1) Develop a program no later than January 1, 2017, within the~~
21 ~~energy efficiency program administrators~~ *electrical or gas*
22 *corporation's* demand-side management programs authorized by
23 the commission, to provide incentives to a residential or small or
24 medium business customer ~~who acquires to acquire~~ energy
25 management technology for use in the customer's home or place
26 of business. ~~The energy efficiency program administrator~~ *electrical*
27 *or gas corporation* may allow third parties or local governments
28 to apply for incentives on behalf of customers. ~~The energy~~
29 ~~efficiency program administrator~~ *electrical or gas corporation*
30 shall work with third parties, local governments, and other
31 interested parties in developing the program. ~~The energy efficiency~~
32 ~~program administrator~~ *electrical or gas corporation* shall establish
33 incentive amounts based on savings estimation and baseline
34 policies adopted by the commission.

35 ~~(2) Develop a plan by September 30, 2016, to educate residential~~
36 ~~customers and small and medium business customers about the~~
37 ~~incentive program developed pursuant to paragraph (1). The~~
38 ~~commission may require that the plan be integrated into, or~~
39 ~~coordinated with, any education campaign required by the~~
40 ~~commission.~~

1 (3) Annually report to the commission on actual customer
2 savings resulting from ~~the education plan and~~ the incentive program
3 established pursuant to this section. The commission shall evaluate
4 ~~all energy efficiency program administrator~~ *electrical or gas*
5 *corporation* energy savings claims achieved pursuant to the
6 ~~education plan and~~ incentive program in a manner consistent with
7 commission-adopted evaluation ~~protocols~~ *protocols and determine*
8 *if the program shall continue or be modified.*

9 (b) For purposes of this section, “energy management
10 technology” may include a product, service, or software that allows
11 a customer to better understand and manage electricity use in the
12 customer’s home or place of business.

13 (c) *Nothing in this section shall be construed to amend or limit*
14 *the ability of a community choice aggregator to apply to administer*
15 *an energy efficiency or conservation program or a demand-side*
16 *management program as set forth in Section 381.1.*

17 SEC. 3. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 the only costs that may be incurred by a local agency or school
20 district will be incurred because this act creates a new crime or
21 infraction, eliminates a crime or infraction, or changes the penalty
22 for a crime or infraction, within the meaning of Section 17556 of
23 the Government Code, or changes the definition of a crime within
24 the meaning of Section 6 of Article XIII B of the California
25 Constitution.